



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

SDMS Document ID



2009708

Agency for Toxic Substances
and Disease Registry
Atlanta GA 30333

JUN 20 2003

Mr. Clinton Maynard
Libby Community Advisory Group
1116 Louisiana Avenue
Libby, Montana 59923

Dear Mr. Maynard:

Secretary Thompson has asked me to thank you for your letter and to respond directly to you regarding community health concerns associated with exposure to asbestos in Libby, Montana.

I understand the seriousness of your concerns. Libby continues to be one of the most important environmental public health sites in our nation. During the past 3-1/2 years, public health, healthcare, and mental health agencies of the Department of Health and Human Services (HHS) have worked closely with the community, the Environmental Protection Agency (EPA), and state and local agencies to halt exposure to vermiculite contaminated with tremolite asbestos and to build health capacity at the local level.

The Agency for Toxic Substances and Disease Registry (ATSDR) has also worked proactively with the Health Resources and Services Administration (HRSA) to support community initiatives intended to improve access to healthcare services in Libby. Through a HRSA grant, a federally funded health clinic has been established in Libby. In addition, Lincoln County was recently awarded funds through a HRSA Rural Health Outreach Grant to identify and resolve remaining health issues in Libby. Through these initiatives, HHS has demonstrated its ongoing and long-term commitment to improving the health of Libby residents.

In your letter, you state that the government's response measures thus far are insufficient and request that HHS declare a "Public Health Emergency" as referenced in sections 104(i)(1)(D) and (E) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, 42 U.S.C. 9604(i)(1)(D) and (E). These sections of CERCLA were originally enacted to provide immediate healthcare assistance in the event of an emergency situation to supplement local emergency healthcare services which might be unable to meet critical short-term healthcare needs. U.S. Public Health Service hospitals referenced in section 104(i)(1)(E) of CERCLA, which were originally intended to provide such care in the case of an emergency, were decommissioned in the mid-1980s. HHS lacks the resources or the statutory authority to provide long-term healthcare services under CERCLA or any other existing federal legislation. However, HHS agencies, particularly ATSDR, have been able to provide appropriate public health services in Libby and at other Superfund sites nationally. HHS agencies will

Jul-01-03 10:42am From-DHS/CDC


Page-2 - Mr. Clinton Maynard

continue to provide critical public health support to the Libby community. A "Public Health Emergency" declaration under CERCLA will not change the agency's planned activities, nor will it make additional funds available to ATSDR or HHS under existing appropriations. Therefore, no such declaration is being made at this time.

During the past 3 years, considerable progress has been made towards halting exposure to tremolite asbestos and improving the health of Libby residents. HHS agencies will continue to use appropriate public health resources and work closely with all of the community groups and state, federal, and local agencies that are involved. I remain confident that such collaboration will facilitate sustainable, long-term public health improvements in Libby.

Please feel free to contact the HHS Region VIII Office in Denver, Colorado, at (303) 844-6163 if you, members of the Libby Community Advisory Group, or other residents have any questions regarding HHS' public health activities or responsibilities in Libby. Questions about ATSDR's activities and responsibilities can also be directed to Mr. Dan Strausbaugh, ATSDR Regional Representative assigned to Libby, at (406) 457-5007. Once again, thank you for your interest in this important public health matter.

Sincerely,



Julie Louise Gerberding, M.D., M.P.H.
Administrator

cc:

U.S. Congressional Delegation, State of Montana
Governor Judy Martz, State of Montana